

FIRST REGULAR SESSION

# HOUSE BILL NO. 854

## 91ST GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES CURLS, BOUCHER, SMITH, SKAGGS (Co-sponsors), SCHEVE,  
WILLIAMS AND WALTON.

Read 1<sup>st</sup> time February 21, 2001, and 1000 copies ordered printed.

TED WEDEL, Chief Clerk

1732L.011

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### AN ACT

To repeal section 59.319, RSMo 2000, relating to user fees collected by the county recorder of deeds, and to enact in lieu thereof one new section relating to the same subject.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Section 59.319, RSMo 2000, is repealed and one new section enacted in lieu thereof, to be known as section 59.319, to read as follows:

59.319. 1. A user fee of four dollars shall be charged and collected by every recorder in this state, over and above any other fees required by law, as a condition precedent to the recording of any instrument. The state portion of the fee shall be forwarded monthly by each recorder of deeds to the state director of revenue, and the fees so forwarded shall be deposited by the director in the state treasury. Two dollars of such fee shall be retained by the recorder and deposited in a recorder's fund and not in county general revenue for record storage, microfilming, and preservation, including anything necessarily pertaining thereto. The recorder's funds shall be kept in a special fund by the treasurer and shall be budgeted and expended at the direction of the recorder and shall not be used to substitute for or subsidize any allocation of general revenue for the operation of the recorder's office without the express consent of the recorder. The recorder's fund may be audited by the appropriate auditing agency, and any unexpended balance shall be left in the fund to accumulate from year to year with interest.

2. An additional fee of three dollars shall be charged and collected by every recorder in this state, over and above any other fees required by law, as a condition precedent to the recording of any [instruments specified in subdivisions (1) and (2) of section 59.330]

**EXPLANATION — Matter enclosed in bold faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.**

16 **instrument.** The fees collected from this additional three dollars per recorded instrument shall  
17 be forwarded monthly by each recorder of deeds to the state director of revenue, and the fees so  
18 forwarded shall be deposited by the director in the state treasury.

19         3. The state treasurer and the commissioner of administration shall establish an  
20 appropriate account within the state treasury and in accordance with the state's accounting  
21 methods. Any receipt required by this section to be deposited in the general revenue fund shall  
22 be credited as follows: the amount of one dollar for each fee collected [under] **pursuant to**  
23 subsection 1 of this section to an account to be utilized for the purposes of sections [60.500]  
24 **60.510** to 60.610, RSMo; the amount of one dollar for each fee collected [under] **pursuant to**  
25 subsection 1 of this section to an account to be utilized by the secretary of state for additional  
26 preservation of local records; and the amount of three dollars collected [under] **pursuant to**  
27 subsection 2 of this section into the Missouri housing trust fund as designated in section 215.034,  
28 RSMo.